

rejection based on the '312 patent, and withdrawal of this rejection is respectfully traversed. To expedite prosecution of the present application in light of prior related applications, the Applicant submits herewith a Terminal Disclaimer disclaiming that portion of any patent that should issue based on the present application beyond the expiration of the '312 patent.

Submitted herewith is a document (entitled Exhibit A - Listing of All Claims and Amendments (12/14/2004)) containing a listing of the claims as currently presented. The attached Listing contains the text of each pending claim, along with any amendments made hereby (illustrated using strikethrough and underlining) and the status of each pending claim.

Given the foregoing, the Applicant respectfully submits that currently pending claims 1-7 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 14th day of December, 2004.

Respectfully submitted,

STERN et al.

By Michael R. Schacht
Michael R. Schacht, Reg. No. 33,550
2801 Meridian Street, Suite 202
Bellingham, WA 98225-2400
phone: (360) 647-0400
fax: (360) 647-0412

CERTIFICATE OF MAILING
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Susie Hubka

Print Name: Susie Hubka

Date: December 14, 2004